



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

(Case No. 00-713-i16)

In re Application of:	)	
	)	
Chad A. Mirkin, et al.	)	
	)	
Serial No.: 09/976,601	)	Examiner: Jezia Riley
	)	
Filed: October 12, 2001	)	Art Unit: 1637
	)	
For: NANOPARTICLES HAVING	)	Confirmation No.: 4367
OLIGONUCLEOTIDES ATTACHED	)	
THERE TO AND USES THEREFOR	)	

**NOTICE OF APPEAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Appeals from the Final Office Action dated  
March 4, 2004, of the primary Examiner finally rejecting Claims 433-461.

07/01/2004 YPOLITE1 00000005 09976601

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165.00 0P



The item(s) checked below are applicable:

1. ☒ An extension of time (one month) to respond to the final rejection is required: a petition and fee of \$55.00 are enclosed.
2. ☒ A timely response to the final rejection has been filed as provided in 841 O.G. 1411.
3. ☒ Fee \$165.00  
☒ Enclosed  
☐ Not required (fee paid in prior appeal)  
☒ Charge any deficiency to Deposit Account No. 13-2490.

Respectfully submitted,



Emily Miao  
Registration No. 35,285

Dated: June 29, 2004

McDonnell Boehnen Hulbert & Berghoff LLP  
300 South Wacker Drive, Suite 700  
Chicago, Illinois 60606  
Telephone No. 312-913-0001  
Facsimile No. 312-913-0002





06/30/04

AF/1637  
IFW

PATENT

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THERE TO AND USES THEREFOR

Examiner: Jezia Riley

Art Unit: 1637

Confirmation No.: 4367

**TRANSMITTAL LETTER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In regard to the above identified application.

1. We are transmitting herewith the attached:
  - a) Response to Office Action of March 4, 2004
  - b) Notice of Appeal
  - c) Appendix A
  - d) Petition for One Month Extension of Time
  - e) Return Receipt Postcard
2. With respect to fees:
  - a) A check in the amount of \$220.00 is enclosed.
  - b) General Authorization: Please charge any underpayment or credit any overpayment to Deposit Account No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.10: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee", addressed to the Asst. Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this 29th day of June, 2004 under the Express Mail label No. EV334690909US.

Date:

6/29/04

Respectfully submitted,

Emily Miao

Registration No. 35,285